

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.: _____
v.	:	DATE FILED: _____
GORDON THOMAS, a/k/a "Lump"	:	VIOLATIONS:
	:	18 U.S.C. § 1341 (Mail fraud - 6 counts)
	:	18 U.S.C. § 1029(a)(2) (Access device fraud -1 count)
	:	18 U.S.C. § 2 (Aiding and abetting)
	:	Notice of Forfeiture - 18 U.S.C. § 982

INDICTMENT

COUNTS ONE THROUGH SIX

THE GRAND JURY CHARGES THAT:

1. From in or about July 2000 through in or about March 2001, defendant

GORDON THOMAS a/k/a "Lump,"

and others known and unknown to the grand jury, devised and intended to devise a scheme to defraud merchants, and to obtain money and property from merchants by means of false and fraudulent pretenses, representations, and promises, and knowingly aided and abetted the devising of a scheme to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

THE SCHEME

It was part of the scheme that:

2. Co-schemers known to the grand jury obtained the names, addresses and telephone numbers of small computer stores outside Pennsylvania.

3. Defendant GORDON THOMAS and co-schemers known to the grand jury placed orders for expensive computer equipment by telephone with these small computer stores using credit card numbers without the authorization and consent of the person to whose account the credit card number was rightfully assigned. Each order typically amounted to several thousand dollars.

4. Defendant GORDON THOMAS and co-schemers known to the grand jury obtained credit card numbers used to order the computer equipment from other persons known and unknown to the grand jury.

5. Defendant GORDON THOMAS and co-schemers known to the grand jury, when ordering computer equipment by telephone, often posed as military personnel and requested that the equipment be delivered by private and commercial interstate carriers to named individuals at specific locations in Philadelphia, Pennsylvania.

6. Defendant GORDON THOMAS and co-schemers known to the grand jury recruited and paid individuals to act as “receivers” for the computer equipment ordered by telephone, using unauthorized credit card numbers, and directed the receivers to accept and sign either the name in which the computer had been ordered or some other name. Receivers were paid with cash and drugs.

7. Defendant GORDON THOMAS and co-schemers known to the grand jury

retrieved from the receivers the computer equipment and sold it for cash, often to fences, at various locations in Philadelphia, Pennsylvania.

THE MAILINGS

8. On or about the dates listed below, at Philadelphia in the Eastern District of Pennsylvania and elsewhere, having devised and intending to devise the scheme, defendant GORDON THOMAS, a/k/a "Lump," for the purpose of executing the scheme and attempting to do so, knowingly caused to be delivered by private and commercial interstate carrier certain property described below for each count:

<u>Count</u>	<u>Date of Mailing</u>	<u>Description of Mailing</u>
One	November 6, 2000	Federal Express shipment of approximately \$4,900 worth of computer equipment to 1515 Tasker Street, Philadelphia, PA.
Two	January 18, 2001	Federal Express delivery of approximately \$4,900 worth of computer equipment to 5439 Race Street, Philadelphia, PA.
Three	January 24, 2001	Federal Express delivery of approximately \$2,932 worth of computer equipment to 159 N. Yewdall Street, Philadelphia, PA.
Four	January 27, 2001	Federal Express delivery of approximately \$2,734 worth of computer equipment to 159 N. Yewdall Street, Philadelphia, PA.
Five	February 1, 2001	Federal Express delivery of approximately \$2,932 worth of computer equipment to 1811 S. Mole Street, Philadelphia, PA.
Six	February 9, 2001	Federal Express delivery of approximately \$2,150 worth of computer equipment to 532 South 52 nd Street, Philadelphia, PA.

All in violation of Title 18, United States Code, Sections 1341 and 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

From in or about July 2000 through in or about March 2001, at Philadelphia in the Eastern District of Pennsylvania, and elsewhere, defendant

GORDON THOMAS, a/k/a “Lump,”

knowingly and with intent to defraud trafficked in, used, and aided and abetted the trafficking and use of, one or more unauthorized access devices during the one year period commencing on or about July 1, 2000 and ending on or about June 30, 2001, and by such conduct obtained property of a value aggregating \$1,000 or more during that one year period.

In violation of Title 18, United States Code, Sections 1029(a)(2) and 2.

NOTICE OF FORFEITURE

1. As a result of the violation of Title 18, United States Code, Section 1029(a)(2), as set forth in Count Seven of this Indictment, the defendant,

GORDON THOMAS, a/k/a “Lump,”

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(B), any and all property, real and personal, constituting and derived from proceeds obtained directly or indirectly as a result of such violation.

2. If any of the property described above as being subject to forfeiture as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without

difficulty, it is the intent of the United States, pursuant to Title 18, United States Code, Section

982(b)(1), incorporating Title 21, United States Code § 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2)(B).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney